64

HIGH COURT OF CHHATTISGARH AT BILASPUR

SINGLE BENCH : HON'BLE SHRI JAGDISH BHALLA, Ag. C.J.

Writ Petition No.1413 of 2004

Petitioners
Defendants

1. Ram Kumar Chandrakar aged 45 years
2. Pradeep Kumar Chandrakar, aged 37 years
3. Raj Kumar aged 50 years

All sons of Late Mantram Caste Hindu Kurmi, cultivators resident of village Bharewa (Puran) Tahsil Pandariya District Kawardha now Kabirdham (CG)

Versus

Respondents
Plaintiff

1. Janaklal aged about 45 years son of Asharfi Lal caste Hindu KurmiCultivator resident of village Bharewa (Puran) Tahsil Pandariya District Kawardha now Kabirdham (CG)

Writ Petition under Article 227 of the Constitution of India

Present: Shri Ashok Kumar Shukla, counsel for the petitioners.

ORAL ORDER

(Passed on 11th September, 2007)

Petitioner approached this Court against the order of appellate Court dated 15.04.2004 wherein it was ordered that during the pendency of the trial, the parties shall maintain the status quo and no interference be made in the land in question.

Learned counsel for the petitioner emphatically contended that the order is contrary for the reason that on one hand, the petitioners have been directed to maintain status-quo and on the other hand they

65

have been directed not to show interference which amounts to the effect that the petitioners can not enjoy the facilities of the land of which they are in possession. Thereby, from the last three years part of the appellate order is being complied with as referred herein above by the petitioners / defendants. In such circumstances, interest of justice would suffice if the suit filed in the year 2002 be expedited. Accordingly, the trial Court is directed to ensure that the suit is decided within a period of six months.

With aforesaid observation, the petition stands disposed of.

Sd/-

Ag. Chief Justice

padma